

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION

CIVIL NO. 1:00CV33

ELSIE GODFREY, Individually and )  
as Personal Representative of the )  
Estate of Willie C. Godfrey, *et al.*, )

This document relates to: )

DAVID K. BROWN, )

Plaintiffs, )

Vs. )

ORDER

AMCHEM PRODUCTS, INC.; CBS )  
CORPORATION; A. W. CHESTERTON, )  
INC.; CLEAVER BROOKS; CROWN )  
CORK & SEAL COMPANY, INC.; )  
FOSTER WHEELER CORPORATION; )  
GARLOCK, INC.; GENERAL )  
ELECTRIC COMPANY; )  
GEORGIA-PACIFIC CORPORATION; )  
METROPOLITAN LIFE INSURANCE )  
COMPANY; MINNESOTA MINING )  
AND MANUFACTURING COMPANY, )  
INC.; NATIONAL SERVICES )  
INDUSTRIES; OWENS-ILLINOIS, )  
INC.; and RAPID AMERICAN )  
CORPORATION, )

Defendants. )

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**THIS MATTER** is before the Court on receipt of the parties' responses to the Court's December 15, 2006, Order.

By Order filed December 27, 2006, the Court allowed the motion of Plaintiff David Brown's counsel to withdraw as his attorney of record due to the fact that counsel and the firm of Ward Black Law had lost contact with the Plaintiff "in excess of four years" and had exhausted all avenues in an attempt to learn of his present whereabouts. **See Plaintiffs' Response, filed December 22, 2006, at 3; see a/so, Motion to Withdraw as Counsel of Record for Plaintiff David K. Brown, filed December 22, 2006.** It appears to the Court that this Plaintiff has abandoned any claims asserted in this action, and his claims will be dismissed as to all Defendants without prejudice.

**IT IS, THEREFORE, ORDERED** that the claims of Plaintiff David K. Brown against all the Defendants named herein are hereby **DISMISSED WITHOUT PREJUDICE.**

Signed: January 12, 2007



Lacy H. Thornburg  
United States District Judge

